



State of Utah

Department of  
Environmental Quality

Richard W. Sprott  
*Executive Director*

DIVISION OF DRINKING WATER  
Kenneth H. Bousfield, P.E.  
*Director*

**Drinking Water Board**  
Anne Erickson, Ed.D., *Chair*  
Myron Bateman, *Vice-Chair*  
Ken Bassett  
Daniel Fleming  
Jay Franson, P.E.  
Helen Graber, Ph.D.  
Paul Hansen, P.E.  
Petra Rust  
Richard W. Sprott  
David K. Stevens, Ph.D.  
Ron Thompson  
Kenneth H. Bousfield, P.E.  
*Executive Secretary*

JON M. HUNTSMAN, JR.  
*Governor*

GARY HERBERT  
*Lieutenant Governor*

MINUTES  
OF THE  
DRINKING WATER BOARD  
MEETING

HELD ON  
FEBRUARY 29, 2008  
IN  
ST. GEORGE, UTAH

<u>Board Members Present</u>	<u>Guests</u>
Anne Erickson, E.D., Chair	Doug Nielsen, Sunrise Engineering
Myron Bateman, Vice Chair	Kevin Brown, Sunrise Engineering
Ken Bassett	Steve Sheffe, Dugway – Carr Facility
Daniel Fleming	Neil Forster, Sherwood Water
Jay Franson, P.E.	Garrett McMullin, Jones & DeMille
Helen Graber, Ph.D.	Bob Reid, InSite Engineering
Paul Hansen, P.E.	Carlton Johnson, Mayor, Town of Henrieville
Richard Sprott	Doug Evans, Mountain Regional
David Stevens, Ph.D.	Russ Smith, Franson Civil/Mountain Valley
Ron Thompson	Brooks Baker, Mountain Valley
	Stephen Thompson, Mountain Valley
<u>Board Members Excused</u>	Keith Hanson, Town of Alta
	Steve McIntosh, Town of Alta
Petra Rust	George Cruz, Bureau of Land Management
	Andrew Armstrong, Mountain Regional
<u>Staff</u>	Tim Arthur, Mountain Regional
	Terral Dunn, Rural Water Association of Utah
Ken Bousfield	Ellen Copfer, Rural Water Association of Utah
Ken Wilde	Dale Pierson, Rural Water Association of Utah
Rich Peterson	Curtis Ludvigson, Rural Water Association of Utah
Patti Fauver	Vern Steel, Rural Water Association of Utah

<u>Staff Continued</u>	<u>Guests Continued</u>
	Clyde Watkins, Rural Water Association of Utah
Karin Tatum	Terry Smith, Rural Water Association of Utah
Don Lore	Amber Higgins, Rural Water Association of Utah
Michael Grange	Jim Watts, Rural Water Association of Utah
Linda Matulich	Diana Waite, Rural Water Association of Utah
	Shannon Rasmussen, Rural Water Association of Utah
<u>Guests Continued</u>	Greg Johnson, Rural Water Association of Utah
	Brett Chynoweth, Rural Water Association of Utah
Randy Taylor, P.E., DEQ	Charles Jeffs, Rural Water Association of Utah
Ken Mitchell, Park City	Kris Hunter, Rural Water Association of Utah

#### ITEM 1 – CALL TO ORDER

The Drinking Water Board convened in St. George, Utah with Chairman Erickson presiding. The meeting was called to order at 1:30 p.m.

#### ITEM 2 – ROLL CALL

Chairman Erickson asked Ken Bousfield to call roll of the Board members. The roll showed there were 10 members present.

#### ITEM 3 – INTRODUCTIONS

Chairman Erickson welcomed everyone and asked the guests to introduce themselves.

#### ITEM 4 – APPROVAL OF MINUTES

Chairman Erickson stated a motion was in order to approve the January 11, 2008 minutes.

**David Stevens moved to approve the January 11, 2008 minutes with one change on page 1. He is listed on the Board Members Present list and the Board Members Excused list. Delete him from the Board Members Excused list.**

**Myron Bateman seconded with the above mentioned change.**

**CARRIED  
(Unanimous)**

#### ITEM 5 – ELECTIONS OF CHAIR AND VICE CHAIR

Chairman Erickson opened the Elections for Chair and Vice Chair.

**Ron Thompson moved to nominate Myron Bateman as the Drinking Water Board Chair.**

**Jay Franson seconded.**

**Helen Graber moved to nominate Anne Erickson as the Drinking Water Board Chair.**

**Myron Bateman seconded.**

**Ron Thompson moved to close the nominations.**

**Ken Bassett seconded.**

**Discussion followed.**

**There was a tie vote for Myron Bateman and Anne Erickson.**

**A secret ballot was held.**

Ken Bousfield will call Petra Rust for her vote and report back to the Board. Elections for a Vice Chairman will be held at the next Board meeting.

**CARRIED  
(Unanimous)**

**ITEM 6 – RURAL WATER ASSOCIATION OF UTAH’S (RWAU) REPORT AND  
INTRODUCTIONS**

Dale Pierson updated the Board on the Rural Water Association’s 2008 Conference. There were over 1,700 who participated in the Conference.

Each staff member of the Rural Water Association addressed the Board. They told about the work they do for the Rural Water Association.

Dale commented on the partnership the Rural Water Association of Utah has with the Division of Drinking Water and the Drinking Water Board. He mentioned the partnership is very important. Rural Water staff work closely with the Division staff.

Danny Fleming said the Drinking Water Board is proud of the Rural Water Association’s staff and how they are the backbone of the Association.

Chairman Erickson thanked the Rural Water Association, on behalf of the Board, for all of the hard work they do, and working so well with the Division and the Board.

Discussion followed.

#### ITEM 7 – REPEAL OF RULE: R305

Ken Bousfield addressed the Board.

Ken Bousfield talked with Laura Lockhart, Assistant Attorney General, who represents the Division and the Board. Rule R305 was promulgated in November 2002 by the Drinking Water Board. Rule R305 was codified in the Department's rules, rather than with each Division in their rules.

Ken Bousfield mentioned a representative from the Attorney Generals office is recommending the Board repeal this rule by a vote. The issues covered by the rule can be dealt by following other procedures.

Discussion followed.

**Jay Franson moved the Board repeal the Rule R305.**

**Ron Thompson seconded.**

**CARRIED  
(Unanimous)**

#### ITEM 8 – ALTA'S VARIANCE HEARING ON ANTIMONY

Patti Fauver addressed the Board.

Patti reported at the January 11, 2008 Board meeting, the Board moved to hold a public hearing for Antimony. The Town of Alta published the notice in the paper in December and January. The Division didn't receive any comments. Staff is recommending the Board renew the Town of Alta's Variance for Antimony until the proposed treatment plant construction is completed or for a period of 5 years, whichever is time frame is shorter.

Chairman Erickson opened the public hearing comments on the Variance for Antimony for the Town of Alta.

Keith Hanson and Steve McIntosh, representing the Town of Alta, were available for any questions from the Board.

Keith Hanson addressed the Board.

Chairman Erickson closed the public meeting for the Town of Alta's Variance for Antimony.

**Myron Bateman moved the Board renew the Variance for Antimony for the Town of Alta until the construction of the proposed treatment plant is complete or for 3 years whichever time frame is shorter. The Town of Alta will give an annual report on their progress to the Board.**

**Paul Hansen seconded.**

**CARRIED  
(Unanimous)**

**ITEM 9 – SRF/CONSERVATION COMMITTEE REPORT**

**1) Status Report**

Ken Wilde reported the Board has \$3.7 million in the State Loan Funds. Most of the repayment stream is around January 1st, and is larger than the last report. The Board will receive approximately \$6 million over the next 12 months, and most of the money will be received in January.

Ken Wilde reported Garden City had their bid opening yesterday. Staff requested adding Garden City to the agenda. Garden City is over budget. Garden City will close in March. Bear River will close in March or April.

Chairman Erickson stated a motion would be in order to put Garden City on the agenda for today's meeting.

**Ron Thompson moved the Board add Garden City to the agenda for the meeting today.**

**Jay Franson seconded.**

**CARRIED  
(Unanimous)**

Ken Wilde reported the Board currently has \$5.7 million in the Federal Loan Funds. The Capitalization Grant hasn't been submitted yet. The Board will receive about \$8.2 million around July 1st, which will give the Board an annual budget of almost \$14 million for projects. Logan City should close by April. St. George City should close in June. Midvale City will close in about a month.

Discussion followed.

**2) SRF Applications**

**a) Project Priority List**

Karin Tatum updated the Board on the Project Priority List.

Mountain Valley Water System and Mountain Regional SSD/Stagecoach Subdivision were added to the Project Priority List.

Discussion followed.

**Danny Fleming moved the Board approve the updated Project Priority List.**

**Anne Erickson seconded.**

**CARRIED  
(Unanimous)**

b) Mountain Valley Water System

Rich Peterson mentioned there was some confusion as to whether Mountain Valley Water System is a publicly owned water system or a privately owned water system on their application. Mountain Valley's request is for fire protection and consists of a storage tank and 8 inch distribution lines throughout their water system. Mountain Valley is not qualified for a Federal SRF application, because the project is mainly for fire flow. Mountain Valley's options are to become a Special Service District/political subdivision of the state, then they would qualify for a State SRF loan, or expand or redefine the scope of the project so that fire protection is not the main purpose of the loan. Then they would qualify for a Federal SRF loan.

Jay Franson declared a conflict of interest, but remained for the discussion.

The SRF Conservation/Committee is recommending the Board deny the application.

Russ Smith, Brooks Baker, and Stephen Thompson, representing Mountain Valley Water System, addressed the Board.

Discussion followed.

Jay Franson stepped out during this part of the Board meeting.

**Ron Thompson moved that the Board deny Mountain Valley's application and suggested staff work with Mountain Valley on their application.**

**Paul Hansen seconded.**

**Nine voted yes.**

**One abstained.**

**(Unanimous)**

Jay Franson returned.

c) Mountain Regional Water SSD/Stagecoach Subdivision

Ken Wilde reported Stagecoach Water System has some significant problems in being able to deliver water. Last summer Stagecoach received some help from Mountain Regional delivering water by truck. The Stagecoach Water System has a potential health impact problem. Mountain Regional is willing to take over the Stagecoach Water System.

Doug Evans, Andrew Armstrong and Tim Arthur, Mountain Regional Water SSD/Stagecoach Subdivision representatives, addressed the Board. Mr. Armstrong reported on some of the problems they are having with their water system.

Discussion followed.

**Ken Bassett moved the Board authorize a \$3,026,000 loan at 2.00% for 20 years with support from the Stagecoach Subdivision on regionalizing their water system.**

**Ron Thompson seconded.**

**CARRIED  
(Unanimous)**

d) Woodland Kolob Acres Deauthorization

Ken Wilde reported the Washington County Water Conservancy District (District) has been constructing a well, a storage tank, and transmission lines, and helping the communities to get the project completed.

Ken Wilde mentioned that the District is going to provide the water, which is about two miles away and uphill. They will provide water to all of the homes being built on the hill, that need a source of water.

Discussion followed.

**Anne Erickson moved the Board deauthorize the \$450,000 loan to Woodland and Kolob Acres.**

**Paul Hansen seconded.**

**CARRIED  
Unanimous)**

d) Henrieville Emergency

Rich Peterson reported Henrieville had a mudslide recently. The mudslide took out their transmission line between the storage tank and the community water distribution system. The mudslide caused loss of water from their water supply and dewatering of the water distribution line. Rich provided the Board some background on Henrieville's water system.

Rich reported the SRF/Conservation Committee is recommending a \$100,000 grant.

Mayor Carlon Johnson, Garrett McMullin, Henrieville representatives, addressed the Board.

Discussion followed.

**Jay Franson moved the Board authorize a \$100,000 grant.**

**Daniel Fleming seconded.**

**CARRIED  
(Unanimous)**

e) Garden City

Rich Peterson reported Garden City is \$500,000 short for their project. Garden City is trying to get a \$250,000 grant from Rural Development. Staff is recommending the Board authorize a \$250,000 loan and the Rural Development fund \$250,000 as a grant. If Garden City isn't able to get a grant from Rural Development, staff will recommend the Board authorize \$500,000 at 2.31% for 20 years.

Garden City representatives addressed the Board.

Discussion followed.

**Ron Thompson moved the Board authorize up to \$500,000 at 2.31% for 20 years.**

**Ken Bassett seconded.**

**CARRIED  
(Unanimous)**

#### ITEM 10 – INTENDED USE PLAN

Ken Wilde reported on the Intended Use Plan.

The Intended Use Plan is still being worked on. When the report is completed, Rich will put the finished Report on the Division's website for any feedback or comments from the public.

Discussion followed.

#### ITEM 11 – FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Michael Grange reported on the Five Year Notice to the Board.

Michael reported the rules original effective date is within 5 years of the last review. The rules must be received by June 16, 2008 for R309-352 – Capacity Development Program. If a request for an extension is not received by that date, then the Division of Administrative Rules is required to remove the rule from the Utah Code.

Mike mentioned staff received some comments, and they are in the packet for review. The Rule will be sent to the Division of Administrative Rules when they are approval from the Board. Mike reviewed the public comments with the Board.



Mike recommended the Board approve the Five Year Notice of Review and Statement of Continuation for R309-352 – Capacity Development Program as presented in the packet.

Discussion followed.

**Ron Thompson moved the Board approve the Five Year Notice of Review and Statement of Continuation for R309-352 for the Capacity Development Program and that staff file the rule in a timely manner as described in this material and the staff to continue the review with their information in finding the facts list and any comments from the public for review.**

**Paul Hansen seconded.**

**CARRIED  
(Unanimous)**

#### ITEM 12 – CHAIRMAN’S REPORT

Chairman Erickson reported on a press release that just announced that Ron Thompson was elected President of Colorado River Water Users Association (CRWUA). The CRWUA is a non-profit organization. Chairman Erickson, on behalf of the Board, congratulated Ron on his new position.

Chairman Erickson reported that the State Finance Office will send regular paychecks to Board members and part-time staff. Please let Linda know if you want to receive a paycheck or do direct deposit.

Chairman Erickson updated the Board on the County Planning Commission meeting held on Wednesday, February 27, 2008. Chairman Erickson reported the meeting was very well attended. The project will require a lot time and effort. Some additional meetings will need to be held. A lot of comments were offered. The Drinking Water Board will be in charge of the program. The Rural Water Association of Utah, the Drinking Water Board, the Division of Drinking Water, and the Division of Public Utilities are working together on this program.

Dale Pierson also commented on the meeting.

Darrel Leamaster and Shannon Springer attended the meeting and offered their comments.

Discussion followed.

Paul Hansen thanked Dale Pierson and the Rural Water Association of Utah for their dedication and the work they are providing the citizens of the State of Utah.

### ITEM 13 – DIRECTORS REPORT

#### a) RWAU Conference Report

Ken Bousfield reported on the Division's involvement at the Rural Water Association of Utah's 2008 Annual Conference to the Board.

#### b) Update on Park City's Water Quality Issue

Patti Fauver reported on the Thallium contamination in Park City's water. Park City has an idea of where the problem lies in a certain section of the pipe. Park City is waiting for the appropriate time to do more flushing and hopes to bring the levels down more.

Discussion followed.

#### c) Chlorine Residual Test Kits

Ken Bousfield mentioned staff has received two Chlorine Residual Test Kits.

#### d) Alta's Treatment Funding

Ken Bousfield mentioned that the Town of Alta has requested funds from the legislature to assist in funding an antimony treatment project.

Ken Bousfield reported the Division will be holding its Annual Retreat on April 23 – 24, 2008. The Board is invited to attend the Retreat.

Ken Bousfield updated the Board on the Top 25 Worst Drinking Water Systems in the State of Utah, and passed out a list.

### ITEM 14 – LETTERS

Letters are in the packet.

### ITEM 15 – NEWS ARTICLES

News articles are in the packet.

### ITEM 16 – NEXT BOARD MEETING

***Date: May 9, 2008***

***Time: 1:00 p.m.***

***Location: 168 North 1950 West, Room 101  
Salt Lake City, Utah 84116***

ITEM 17 – OTHER

Don Lore updated the Board on arsenic.

No other business.

ITEM 18 – ADJOURN

Chairman Erickson stated a motion to adjourn the Board meeting was in order.

**Myron Bateman moved to adjourn the Drinking Water Board meeting at 4:30 p.m.**

**Paul Hansen seconded.**

**CARRIED**  
**(Unanimous)**

Linda Matulich  
Recording Secretary